



2010 Regular Session of the Louisiana Legislature

**House Legislative Services
June 2010**

State Budget

Operating Budget

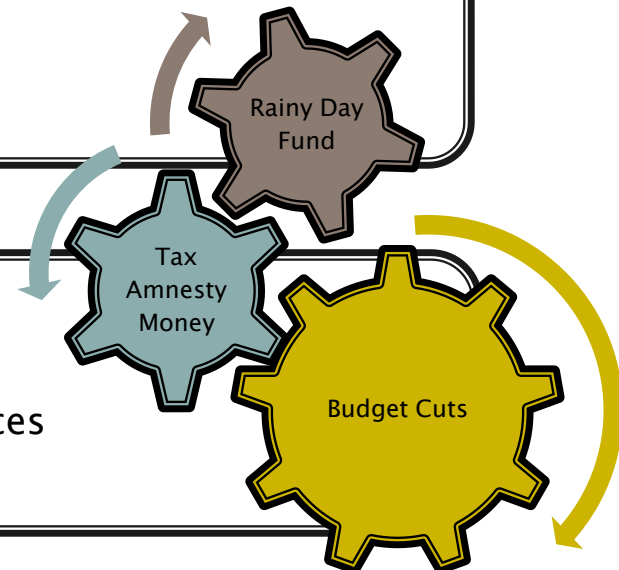
- \$26 billion
- Eliminates 3,000 state jobs and 1,300 layoffs
- Cuts health care, universities, and other state services

Construction Budget

- Approximately \$4.7 billion

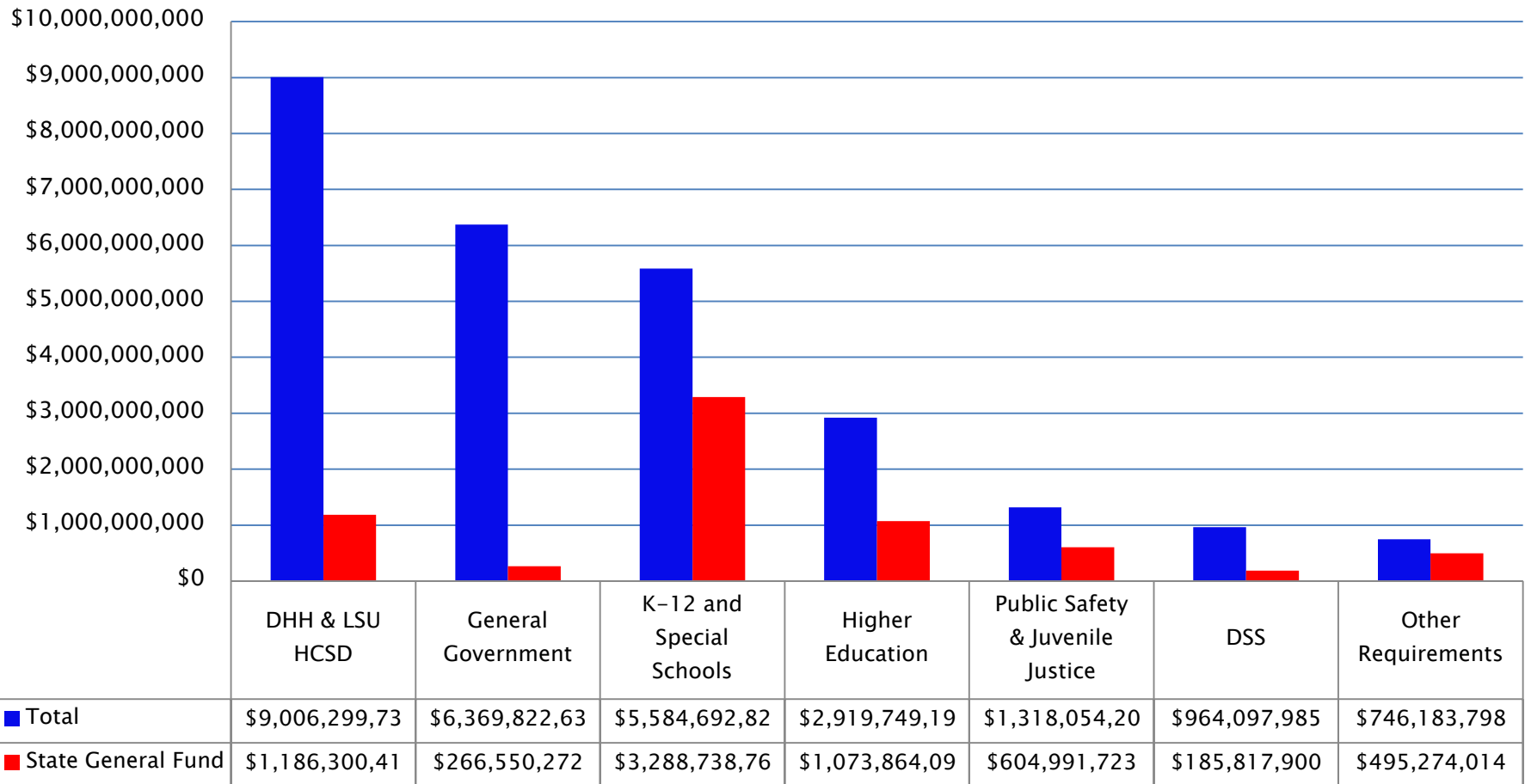
Current Year Deficit

- Closes \$580 million shortfall
- Taps one-time financing sources

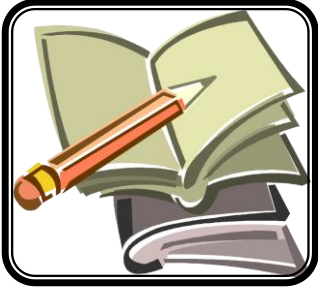


Comparative Size of Various Units of State Government FY 2010-11 in HB 1

Total Appropriations vs State General Fund Appropriations



K-12 Education



The funding formula for elementary and secondary education, the MFP, is \$3.319 Billion for FY 2010–2011. It is an increase of \$43.9 Million over last year due to enrollment growth and changes in district wealth. HCR 243 by Rep. Badon



“Red Tape Reduction Act” – allows school boards to apply for waivers from state laws and BESE rules & regulations in attempt to increase quality of instruction and academic achievement in the school district. HB 1368 by Rep. J. Smith



Provides that teachers will now be evaluated according to a “value-added” model formulated by the State Board of Elementary and Secondary Education (BESE). HB 1033 by Rep. Hoffmann

K-12 Education, cont.



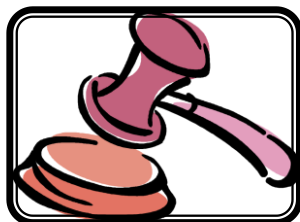
Establishes the School Choice Pilot Program for certain special needs students to be piloted in Caddo, Jefferson, EBR, Lafayette, St. Tammany, and Orleans parishes. HB 216 by Rep. Foil



Limits local school board 'meddling' in day-to-day school operations. HB 942 by Rep. Carter



Allows home-study athletes to participate in interscholastic athletics at Louisiana High School Athletic Association (LHSAA) events. HB 303 by Rep. Henry



Allows the court to order truants or high school dropouts to re-enroll in school, get a GED, or join the military for two years. SB 701 by Sen. Marionneaux

Higher Education



The La. Granting Resources and Autonomy for Diplomas (GRAD) Act allows colleges to increase tuition in exchange for entering into a six-year agreement to achieve certain performance standards. Limits the increase to up to 5% for the 2010–2011 and 2011–2012 FYs and up to 10% beginning in 2012–2013 FY until the regional peer average is reached. The Board of Regents can stop the tuition increases if the school fails to meet the performance standards. HB 1171 by Rep. Tucker



An attempt to consolidate the Board of Regents with LSU, Southern University and University of Louisiana systems' management bodies failed and, in lieu thereof, the Board of Regents was given greater authority.

SB 538 by Sen. Nevers

HB 1492 by Rep. Tucker

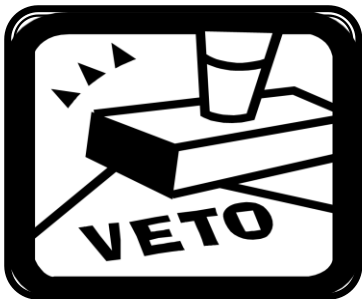
Health and Welfare



Renames DSS to the Department of Children and Family Services and reorganizes the department to better achieve the mission of providing aid to dependent children and adults in need. SB 257 by Sen. Mount

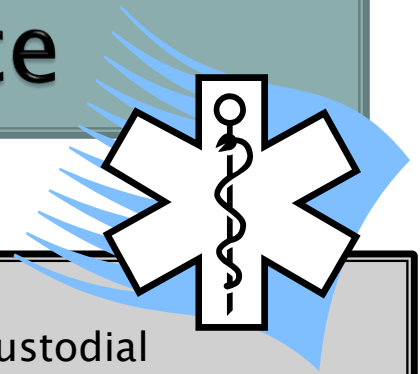


Would have outlawed smoking in bars and casinos. SB 348 by Sen. Marionneaux



Requires legislative approval prior to privatization of mental health services. HB 1443 by Rep. Edwards

Health Care & Insurance



HEALTH INSURANCE

- Requires insurers to cover children to age 26 on parents' or custodial grandparents' health insurance and forbids insurers from increasing premiums for extended coverage. HB 244 by Rep. Kleckley
- Negates the federal health care mandate and prevents the imposition of a penalty or fee on any Louisiana resident for failure to obtain or maintain health care coverage, but does not prohibit any resident from obtaining coverage under the federal exchange. HB 1474 by Rep. Talbot

ABORTION

- Requires an obstetric ultrasound to be performed prior to an abortion. SB 528 by Sen. Broome
- Prevents new federal health-care reform plans from paying for elective abortions. HB 1247 by Rep. Hoffmann
- Denies medical malpractice coverage to doctors when performing elective abortions. HB 1453 by Rep. Johnson

Criminal Justice



Creates the misdemeanor offense of cyber-bullying for adults and provides offenders under the age of 17 are subject to counseling, HB 1259 by Rep. Burrell; Requires school boards to inform students of the dangers of cyber-bullying, HB 1458 by Rep. LaBruzzo.



Creates the crime of “sexting” which prohibits a person under the age of 17 from transmitting an indecent visual depiction of himself to another by computer or other telecommunication device and prohibits a person under the age of 17 from possessing or transmitting such image. HB 1357 by Rep. Baldone



Mandates life imprisonment without parole for a second felony sex offense on a child under thirteen. SB 780 by Sen. Cheek and HB 191 by Rep. Perry



Makes synthetic marijuana a Schedule I controlled substance. HB 173 by Rep. Templet and SB 37 by Sen. Thompson



Allows persons convicted of non-violent and non-sexual offenses to be paroled by a majority vote of the parole board if they are eligible, free of disciplinary infractions, and have completed 100 hours of counseling. HB 195 by Rep. Mills

Governmental Affairs



ELECTIONS

- The state will return to the open primary system for congressional elections beginning with the 2011 election cycle. HB 292 by Rep. Greene

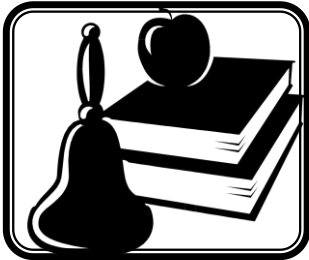
RELIGIOUS FREEDOM

- Increases the burden of proof on the government relating to matters of religious expression. Government now has to show a compelling state interest for interference in matters concerning the free exercise of religion. SB 606 by Sen. Martiny

Retirement System Reform



Reduces benefits for many public employees hired after Dec. 2010 relative to employee contribution rates, final average compensation, benefit accrual rates, eligibility, and disability and survivor benefits. It covers those in the four state retirement systems: LASERS, Teachers', School Employees', and State Police. Also creates the LASERS Hazardous Duty Services Plan. HB 1337 by Rep. Robideaux



Changes the "rehired retiree" laws for teachers. Prohibits retirees, after June 2010, from receiving retirement benefits during their period of reemployment unless they are reemployed as K-12 classroom teachers in subject areas where there is a certified shortage of teachers. HB 519 by Rep. Cortez



Allows garnishment of public retirement benefits to pay fines, restitution, or cost of incarceration for elected officials or public employees convicted of a felony associated with their office. SB 13 by Sen. Gautreaux

State Contracts & Public Benefits

STATE CONTRACTS

- Permanently disqualifies those convicted of public bribery, corrupt influencing, extortion, or money laundering from bidding on state contracts, and bans for five years those convicted of certain acts of theft and related crimes.

HB 1292 by Rep. Hines

PUBLIC BENEFITS

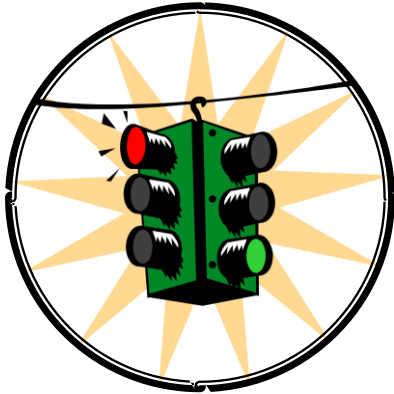
- Persons applying for public assistance, employment, in-state tuition benefits or upon arrest would have had to provide verification of citizenship.
- Would have required that 20% of welfare recipients be drug tested.

HB 1205 by Rep. Harrison

HB 617 by Rep. LaBruzzo



Motor Vehicles & Driver Safety



DRIVER'S LICENSES

- Repeals & refunds controversial \$15 driver's license fee increase. SB 407 by Sen. McPherson
- Adds 15 hours of night-time driving practice to the existing 35 hours of supervised behind-the-wheel practice required for first-time drivers. HB 1339 by Rep. Downs



MOTOR VEHICLE VIOLATIONS

- Would have outlawed traffic cameras used to give out speeding and red light tickets. HB 160 by Rep. Arnold
- Allows police to execute a vehicle stop of any driver caught texting or for a young driver using a cell phone. SB 9 by Sen. Gautreaux



BICYCLES

- Makes changes to traffic laws that benefit pedestrians and bicycle traffic. Complements "complete streets" concept. HB 1139 by Rep. Williams
- Requires all bicycles traveling at night to have rear-mounted lights. HB 298 by Rep. Baldone



Deepwater Horizon Oil Spill



LEAKING OIL

- Estimated daily leak rate: 35,000 to 60,000 barrels
- Reported to be 4x worse than the Exxon Valdez spill
- 239 miles of LA shoreline impacted
- 130 miles report medium to heavy oiling or tar balls
- Pelicans, sea turtles, striped dolphins, and other sea life affected

LIVELIHOOD IMPACT

- Shutdown of commercial fisheries, a \$275 Million industry
- 6,127 commercial fisherman, 4,238 vessel owners, 645 dealers, 420 charter captains, 107 marinas, and 1,200 oyster lease holders directly impacted
- Recreational fisheries also impacted

DEFENDING SHORE

- 1,250,000 feet of hard boom deployed
- 4,000,000 feet of absorbent boom deployed
- Sand berms are being dredged
- 10,997 manpower working in LA
- Two relief wells are currently being drilled. Both are scheduled to be completed in August.

COLLECT & DISPERSE

- 558,000 barrels collected by skimming
- 150,500 barrels collected by in situ burns
- 1,000,000 gallons of surface dispersants applied
- 450,000 gallons of sub sea dispersants

COST

- Immeasurable loss of eleven lives
- Has cost BP \$2 billion to date
- 32,000 individual claims have been paid by BP at a cost of \$105 million.
- BP placed \$20 billion in trust for distribution by federal "pay czar"
- Unknown economic impact

Moratorium on Drilling

Federal Ordered Moratorium on Drilling

- 6-month ban on all deep-water drilling in Gulf of Mexico at 500' or deeper imposed June 16, 2010

Immediate and Direct Impact

- 33 drilling rigs immediately halted; average loss to drilling companies \$500,000/day per rig
- 800-1,400 people per rig lost jobs for total loss of 26,400 to 46,200 jobs
- One in three jobs in coastal Louisiana is in Gulf of Mexico oil & gas industry

Additional Impact

- Loss of 6,000 jobs in the state with more than 20,000 likely lost within 6 mo.
- Trickle down effect with loss of jobs in the support industries, ship building, vessel operations, and then on to suppliers and losses associated with unemployed population

Reduction in Oil Production

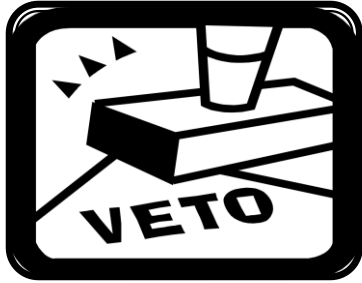
- Loss of 80,000 barrels of oil each day deferred for calendar year 2011
- Possible reduction by 350,000 barrels in 2015 and 2016 because of lack of drilling today

Permanent Loss

- Possible permanent loss of drilling rigs in the Gulf of Mexico
- Concurrent increase in production oil in foreign waters making US more dependent on foreign oil



Deepwater Horizon Oil Spill Legislation



Requires the governor to grant public access to all state records related to the oil spill. HB 37 by Rep. Gary Smith



Creates the Oil Spill Relief Integrity Act authorizing actions against fraudulent claims and qui tam actions which allows a private citizens to seek recovery on behalf of oil spill programs and himself for “blowing the whistle” on abusers. SB 531 by Sen. Claitor



Urges and requests Secretary of the Interior, Ken Salazar, to reconsider the six-month moratorium and alter that directive to minimize the economic impact on the state. HCR 214 by Rep. Dove

Constitutional Amendments



Requires a 2/3 vote to enact any changes to public retirement system provisions having an actuarial cost.
HB 229 by Rep. Pearson

Exempts property owned by certain disabled veterans and spouses from ad valorem property tax.
HB 246 by Rep. Pope

Provides relative to the sale of expropriated property.
HB 276 by Rep. Leger

Extends the time in which the owner of a homestead must reoccupy the homestead in order to retain the exemption or special assessment level. SB 21 by Sen. Murray/HB 325 by Rep. Stiaes

Except in capital cases, a defendant may waive his right to a trial by jury but no later than 45 days prior to the trial date and the waiver is irrevocable.
HB 940 by Rep. Montoucet

Requires reargument before a five judge panel prior to reversal or modification of judgments rendered by office of workers' compensation when one judge of the original 3-judge panel dissents.
SB 42 by Sen. Murray

